

1950 we saw a small group of sea otters, and today that population has grown to about 1,000. It is threatened, but on the other hand, what it has done is increased tourism because people come out and look for that creature.

So this bill that the Defense Department is asking for aims to make critical habitat designation only when it is necessary and not when it is prudent and determinable as the law now currently requires.

When would it be necessary to designate a critical habitat? I am not sure necessary is defined in the bill. So basically the Secretary of the Interior and the Secretary of Commerce will be able to make a decision with no set criteria.

The Bush administration has clearly stated its belief that critical habitat provides no protection, and as such, this provision could result in more species without homes and breeding areas, and the list goes on and on.

The Marine Mammal Protection Act not only guts that, but it puts whales and dolphins in jeopardy by changing the Marine Mammal Protection Act, and my colleagues have already heard from several Members who have spoken on it. The intent of the Act is to prevent the harassment of marine mammals. The language in this bill weakens the definition of harassment, not just for DOD-related activities but also for all the people who use our oceans and coasts.

The waters of Monterey Bay in my home District have been designated by the Federal Government as a national marine sanctuary. It is the home to sea otters, sea lions and harbor seals and serves as a migratory route for the majestic humpback and blue whales. These animals are important for economic resources because people visit the coastline to see watchable wildlife. They go to see the sea birds, the sea lions, the whales and so on.

Likewise, the people travel to see the orcas in the waters off the Puget Sound in Washington or the whales off the gulf of Maine or the manatees along the coast of Florida, and we all know as Members from those Districts we do everything we can to protect those.

Currently, the Marine Mammal Protection Act language aims to protect these animals from being harassed, being injured and even from being killed, but the bill drastically weakens this protection and would allow an increasing number of harmful interaction, such as oil and gas exploration, high intensity sonar testing, and such increase in harassment and harm to marine mammals would go largely unchecked by wildlife agencies and left unmonitored and unmitigated.

Struggling sea otters are currently dying at record levels in the State of California. We do not know the exact cause, but we are going to be looking for that and hopefully trying to remedy it.

This bill does not help us with those remedies. We ought to take pride in the fact that the military has led in a lot of our environmental areas. The navy has been the first and most remarkable

agency at recycling at sea, of taking all their garbage on ship and treating that. The navy painted their ships with safe paint. So the military has been a good environmental steward. There is no need to change that position with the passage of this legislation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m.

Accordingly (at 9 o'clock and 42 minutes a.m.), the House stood in recess until 10 a.m.

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AFTER RECESS

The recess having expired, the House was called to order at 10 a.m.

PRAYER

The Reverend Dr. David Anderson, Pastor, Faith Baptist Church, Sarasota, Florida, offered the following prayer:

Our Heavenly Father, with humble spirits we thank You for Your faithfulness to our Nation. We trust in You, not in our might. We depend upon Your blessings and not upon our resources. We rely upon Your providence in both good times and bad, and we submit to Your chastisement. We bow before Your infinite power, wisdom, truth, mercy, and love.

Strengthen our weakness by wielding Your power. Calm our fears by manifesting Your presence. Forgive our sin by bestowing Your grace and restore our virtue by imputing Your righteousness. Remind us, once again, of what You intend us to be, one Nation under God.

Grant unto the men and women of this House wisdom beyond their experience, courage beyond their resolve, vision beyond their sight, and truth beyond their learning. May they uphold Your law so our country can reflect Your goodness and correct its wrongs. Protect our troops and bring them home soon.

With the faith that has carried us for generations we ask, "May God bless America. In the name of the Lord Jesus Christ, I pray. Amen."

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. LAMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. LAMPSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which concurrence of the House is requested:

S. Con. Res. 44. Concurrent Resolution recognizing the contributions of Asian Pacific Americans to our Nation.

The message also announced that in accordance with sections 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the First Session of the One Hundred Eighth Congress, to be held in Prague, Czech Republic, May 23-26, 2003:

The Senator from South Carolina (Mr. HOLLINGS).

The Senator from Connecticut (Mr. DODD).

The message also announced that in accordance with sections 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the First Session of the One Hundred Eighth Congress, to be held in Prague, Czech Republic, May 23-26, 2003:

The Senator from Alabama (Mr. SESSIONS).

The Senator from Ohio (Mr. VOINOVICH).

The Senator from Texas (Mr. CORNYN).

DEPARTMENT OF EDUCATION ON THE RIGHT TRACK

(Mr. PITTS asked and was given permission to address the House for 1 minute.)

Mr. PITTS. Mr. Speaker, the Department of Education has had its share of problems with the money this body gives it. Many of us have followed the stories of waste and fraud that have plagued the Department. Some \$450 million were recently used for purposes other than educating children. Credit cards were used to purchase products from pornographic Web sites. Several employees were caught buying luxury SUVs and even buildings with money supposed to go to South Dakota schools.

Secretary Paige has cracked down on these activities. For only the second time ever, the Department received recently a clean audit from the GAO, and all of the \$450 million has been accounted for.